

Water Bureau

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What Michigan Department of Environmental Quality regulations apply to homeowners who want to discharge wastewater to the ground at their homes?

The State of Michigan, Department of Environmental Quality, commonly receives questions and complaints related to regulation of domestic wastewater discharges to the groundwater of the state. This response applies to:

- Potable water used for domestic activities other than sanitary sewage disposal (such as wastewater generated from washing paint brushes; this does not apply to dumping the unused paint onto the ground).
- Wastewater from a portable power washer when used by the occupant of a household for washing buildings, vehicles, or other surfaces associated with the domestic occupation of the household.
- Residential water treatment filter backwash water.
- Residential swimming pool drainage and backwash water.
- Carpet cleaning wastewater discharged by a noncommercial operator or by a commercial operator at a site receiving wastewater from not more than one location where carpet cleaning has occurred.
- Wastewater from a heat pump that has a heat exchange capacity of 300,000 BTU per hour or less if there is no chemical additive to the system.
- Wastewater that is discharged on top of the ground and soaks into the ground (it does not address underground discharges such as through a septic system).

These discharges are regulated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act (NREPA), Public Act 451 of 1994, as amended and the Part 22 Rules, which are entitled Groundwater Quality. The law and rules provide that a person does not need a permit for the discharge of the above domestic discharges but also does not waive liability for causing injury to the waters of the state. This means the discharge cannot cause waters of the state to lose their usefulness for drinking, agriculture, recreation, industry, or other "protected" uses. To not need a permit, some general conditions apply to these discharges, chiefly:

- A prohibition against causing physical damage to neighboring properties or creating nuisance conditions (i.e., flooding and over spraying).
- A prohibition against creating a site of environmental contamination that would need to be cleaned up.

- A prohibition against certain discharges in close proximity to available sanitary sewer systems. Basically, homeowners should consider sending domestic wastewater to the sanitary sewer if they are hooked up.

LEGAL BASIS:

The legal basis for the above information is Part 31, Water Resources Protection, of NREPA and the Part 22 Rules of Part 31. Michigan Compiled Law (MCL) Sections 324.3112 and 324.3109 of NREPA basically provide that wastewater discharges to waters of the state must be authorized by a permit from the Michigan Department of Environmental Quality; and further, discharges cannot injure the protected uses made of the waters of the State of Michigan. As to the rules, Rule 323.2210 states that a person does not need a permit for various discharges, as long as applicable provisions of Rule 323.2204 are complied with.

Violations of the groundwater rules can be reported to groundwater permit compliance district staff. For more information, including the full set of [groundwater laws and rules](#) or [groundwater compliance staff contacts](#), refer to the Web at www.michigan.gov/deqwater and select "Groundwater Discharge."